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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	NO. 16-CR-313-YGR
	)	
Plaintiff,	)	
	)	STIPULATION AND <del>PROPOSED</del> ORDER
v.	)	TO CONTINUE SENTENCING HEARING
	)	DATE TO * FRIDAY, JULY 7, 2017 AT
CHRISTIAN LANCASTER,	)	10:00AM *
	)	
Defendant.	)	Hearing Date: May 18, 2017
_____	)	

The above-captioned matter is set on May 18, 2017 before this Honorable Court for a change of plea and sentencing hearing. The parties jointly request that the Court continue this matter to June 29, 2017, at 3:00 p.m., and that the Court exclude time under the Speedy Trial Act through June 29, 2017.

At the last district court appearance, Mr. Lancaster notified the Court of his intention to enter into an open plea to the one-count indictment. The Court referred the case to the probation office for a pre-plea presentence investigation, and set this matter over for a change of plea and sentencing hearing on May 18, 2017. At that appearance, defense counsel failed to recognize that she will be in trial for two weeks starting May 15, 2017 before the Honorable Haywood Gilliam, Jr., and thus defense counsel will be unavailable and will not be in a position to prepare that week for Mr. Lancaster's sentencing hearing. For this reason, defense counsel needs additional time and

1 requests a short continuance. Government counsel has no objection to this request and is available  
2 on the requested date.

3 In addition, the parties agree that it is appropriate to continue to exclude time for effective  
4 defense preparation and for continuity of counsel. The parties stipulate and agree that the ends of  
5 justice served by this continuance outweigh the best interest of the public and the defendant in a  
6 speedy trial. The parties further agree that the failure to grant this continuance would unreasonably  
7 deny counsel for defendant the reasonable time necessary for effective preparation and it would  
8 also deny defendant continuity of counsel, taking into account the exercise of due diligence.  
9 Accordingly, the parties agree that the period of time through June 29, 2017, should be excluded in  
10 accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv),  
11 for effective preparation of defense counsel and for continuity of counsel, taking into account the  
12 exercise of due diligence. In addition, enclosed with the Court's courtesy copy of this stipulation  
13 are copies of Mr. Lancaster's application for permission to enter a guilty plea and supplement.  
14 Given the Court's consideration of these materials, the parties further agree that it is appropriate to  
15 exclude time pursuant to 18 U.S.C. § 3161 (h)(1)(G).

16  
17 DATED: February 22, 2017

18  
19 Respectfully submitted,

20  
21 /s/  
22 ZINZI D. BONILLA  
23 Assistant United States Attorney

24 /s/  
25 ANGELA M. HANSEN  
26 Assistant Federal Public Defender  
27  
28

~~PROPOSED~~ ORDER

Based on the reasons provided in the stipulation of the parties above, and for good cause shown, the Court hereby continues the sentencing hearing date from May 18, 2017 to \* FRIDAY, JULY 7, 2017 AT 10:00AM. It is FURTHER ORDERED that time is excluded, pursuant to the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv) and also pursuant to § 3161(h)(1)(G), through July 7, 2017.

February 28, 2017

DATE



HON. YVONNE GONZALEZ ROGERS  
United States District Judge